

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

DON GIBSON, LAUREN CRISS,)
JOHN MEINERS, and DANIEL UMPA,)
individually and on behalf of all others)
similarly situated,)

Plaintiffs,)

v.)

NATIONAL ASSOCIATION OF)
REALTORS, et al.,)

Defendants.)

Case No. 4:23-cv-00788-SRB
[Consolidated with 4:23-cv-00945-SRB]

JOINT MOTION FOR ENTRY OF PROTECTIVE ORDER AND ESI ORDER¹

Plaintiffs and Defendants jointly move the court for entry of: (1) a Protective Order pursuant to Federal Rule of Civil Procedure 26(c) and (2) a Stipulated Order Regarding Production of Electronically Stored Information and Paper Documents. The Parties respectfully submit that good cause exists for entry of the Orders. In support of this Motion, the Parties state:

1. The Parties agree that during the course of discovery it may be necessary to disclose certain confidential information relating to the subject matter of this action that merits protection from public disclosure. Such information may include, but is not limited to, trade secrets, business plans and strategies, and other confidential research, development, or commercial information, private personally identifiable information, or other sensitive personal information.

¹ In filing this motion and executing the proposed orders, Defendants have not waived, do not waive and continue to reserve all rights and defenses, including, but not limited to, those based on improper venue, lack of personal jurisdiction, and arbitration and/or class waiver clauses. Likewise, in filing this motion and executing the proposed orders, Plaintiffs acknowledge that Defendants have not waived, do not waive, and continue to reserve all rights and defenses, including, but not limited to, those based on improper venue, lack of personal jurisdiction, and arbitration and/or class waiver clauses.

2. The Parties seek entry of a Protective Order to limit the disclosure, dissemination, and use of such information and to allow them to designate certain documents, information, and testimony as confidential information and make any disclosure of such confidential information subject to the terms and conditions of the Protective Order.

3. The Parties further agree that entry of a Stipulated Order Regarding Production of Electronically Stored Information and Paper Documents is necessary to govern the production of ESI and paper documents given the complex nature of this litigation and potentially voluminous production of documents.

4. The Parties met and conferred in good faith and agreed upon the terms in the Protective Order and Stipulated Order Regarding Production of Electronically Stored Information and Paper Documents and state that good cause exists for the issuance of both Orders to protect public disclosure of confidential information and to govern document production in this case.

5. Pursuant to the CM/ECF Administrative Procedures Manual and Users Guide for the Western District of Missouri, the proposed Protective Order and proposed Stipulated Order Regarding Production of Electronically Stored Information and Paper Documents are not attached to this Motion but are submitted to the Court in Word format via email to Tracey Peter: Tracey.Peters@mow.uscourts.gov.

WHEREFORE, for the reasons set forth above, the Parties request that this Motion be granted and that the Court enter the proposed Protective Order and Stipulated Order Regarding Production of Electronically Stored Information and Paper Documents.

Dated: July 25, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of July 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to counsel of record for this case.

/s/ Alexander W. Aiken

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